



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**  
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	<b>BOARD OF MENTAL HEALTH AND CHEMICAL DEPENDENCY PROFESSIONALS</b>
MEETING DATE AND TIME:	<b>Wednesday, August 24, 2011 at 12:00 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES APPROVED	9/28/2011

**MEMBERS PRESENT**

Dr. William Northey, LMFT, **Secretary**, Presiding  
Ruth Banta, Public Member  
Daniel Cherneski, LMFT (12:01 p.m. – 12:53 p.m.)  
Daniel Cooper, LPCMH (12:09 p.m. – 2:15 p.m.)  
Mary Davis, LCDP  
Gregg Drevno, LPCMH  
Tracy Hansen, LMFT (12:01 p.m. – 2:01 p.m.)  
Julius Mullen, LPCMH  
Vera Murrell, Public Member (12:01 p.m. – 2:07 p.m.)  
Clayton Yocum, Sr., Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Danny Stevenson, Deputy Attorney General  
Jessica Williams, Administrative Specialist II

**MEMBERS ABSENT**

Robert Doyle, Public Member, **President**  
Lisa Ritchie, Professional Member, **Vice President**

**ALSO PRESENT**

Vera Seitz, Wilcox & Fetzer

**CALL TO ORDER**

Dr. Northey called the meeting to order at 12:01 p.m.

**REVIEW OF MINUTES**

**MHCDP Meeting Minutes – June 22, 2011**

The Board reviewed the June 22, 2011 meeting minutes for approval. Mr. Cherneski made a motion, seconded by Ms. Hansen, to approve the minutes as written. Motion unanimously carried.

## **HEARINGS**

### **12:15 p.m. – Rule to Show Cause Hearing for Donald Hearn**

At 12:19 p.m., Dr. Northey called the rule to show cause hearing to order for Donald Hearn. Verbatim testimony was taken by the court reporter. Mr. Stevenson stated the reason for the hearing and had the following items marked as Board Exhibit 1 for the record: A letter from Mr. Hearn requesting to withdraw his request of license renewal; notification of hearing letter dated July 18, 2011; a copy of the letter to Mr. Hearn reminding him of the 90 day deadline to make up the deficiency dated May 31, 2011; a copy of the letter to Mr. Hearn advising him of the deficient continuing education audit findings dated March 25<sup>th</sup>, 2011; the Board Audit Checklist; documentation of all the continuing education taken by Mr. Hearn and submitted by him to the Board as a result of his selection for audit. Although Mr. Hearn was not present for the hearing, he submitted correspondence to the Board which was marked as Respondent Exhibit 1. At 12:22 p.m., the Board went off the record for deliberations. At 12:40 p.m., the Board went back on the record. Mr. Cherneski made a motion, seconded by Dr. Mullen, that Mr. Hearn falsely attested to completing the required CE on his licensure renewal and as a consequence the Board imposed the following sanctions: suspend his license indefinitely; in order to lift the suspension, Mr. Hearn must complete 20 hours of face to face continuing education (which cannot be used towards the next licensure cycle), complete 6 hours of face to face continuing education focusing on ethics and professional conduct (pre-approved by the Board); and complete 6 hours of supervision (pre-approved by the Board) with a well versed Delaware LPCMH, to review the rules and regulations of Delaware and a final report must be sent by the supervisor. Motion unanimously carried.

### **12:45 p.m. – Proposed to Deny Hearing for Sara Brinkerhoff**

At 12:53 p.m., Dr. Northey called the proposed to deny hearing to order for Sara Brinkerhoff. Verbatim testimony was taken by the court reporter. Mr. Stevenson stated the reason for the hearing and had the following items marked as Board Exhibit 1 for the record: PTD letter dated April 1, 2011; Ms. Brinkerhoff's hearing request dated April 13, 2011; the Hearing Notice dated April 28, 2011; and application packet and supporting documents. Mr. Stevenson verified with Ms. Brinkerhoff that she waived her right to be represented by counsel. Ms. Brinkerhoff was sworn in and presented her case to the Board and answered questions from Board members. Ms. Brinkerhoff submitted CE documentation, which was marked as Respondent Exhibit 1. At 1:13 p.m., the Board went off the record for deliberations. At 1:26 p.m., the Board went back on the record. Ms. Hansen made a motion, seconded by Ms. Murrell, that the hearing be continued until September for the Board to determine if the National Association of Forensic Counselors is similar to the Delaware Certification Board. Motion unanimously carried. The hearing concluded at 1:30 p.m.

## **UNFINISHED BUSINESS**

### **Sign Order for Moneak Baskerville from Rule to Show Cause Hearing Held on June 22, 2011**

The Board members affixed their signatures to the Order.

### **Sign Order for William Gale from Rule to Show Cause Hearing Held on June 22, 2011**

The Board members affixed their signatures to the Order.

### **Review Previously Proposed to Deny Application for Lisa Groark**

The Board reviewed the previously proposed to deny application for Lisa Groark. Ms. Groark submitted correspondence requesting another review as well as additional documentation regarding her job responsibilities/duties, as well as a letter from her supervisor. Mr. Cherneski made a motion, seconded by Ms. Murrell, to withdraw the motion to propose to deny her application. Motion unanimously carried. Mr. Cherneski made a motion, seconded by Ms. Hansen, to approve the application for licensure. Motion unanimously carried.

### **NEW BUSINESS**

#### **Review of Application for LPCMH Licensure by Certification – Gail Johnson-Miller**

The Board reviewed Gail Johnson-Miller's application for LPCMH licensure by certification. Dr. Mullen made a motion, seconded by Ms. Banta, to **approve** the application. Motion unanimously carried.

#### **Review of Application for LPCMH Licensure by Certification – Tracy Lazar**

The Board reviewed Tracy Lazar's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Drevno, to **approve** the application. Motion unanimously carried.

#### **Review of Application for LPCMH Licensure by Certification – Alice O'Brien**

The Board reviewed Alice O'Brien's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Mullen, to **approve** the application. Motion unanimously carried.

#### **Review of Application for LPCMH Licensure by Certification – Roseanne Walsh**

The Board reviewed Roseanne Walsh's application for LPCMH licensure by certification. Mr. Cherneski made a motion, seconded by Ms. Murrell, to **table** the application for further documentation showing that her CCDP- Diplomat certification from Pennsylvania is substantially similar to the NBCC certification. Motion unanimously carried.

#### **Review of Application for LPCMH Licensure by Reciprocity – Francine Broder**

The Board reviewed Francine Broder's application for LPCMH licensure by reciprocity. Dr. Mullen, made a motion, seconded by Mr. Cooper, to **approve** the application. Motion unanimously carried.

#### **Review of Application for LPCMH Licensure by Reciprocity – Elijah Butler**

The Board reviewed Elijah Butler's application for LPCMH licensure by reciprocity. Mr. Cooper made a motion, seconded by Dr. Mullen to **approve** the application. Motion unanimously carried.

#### **Consider Consent Agreement for Case Numbers 33-09-10 & 33-02-11**

The Board reviewed the consent agreement for case numbers 33-09-10 and 33-02-11 (Richard Brousell). Dr. Drevno made a motion, seconded by Ms. Banta, to accept the consent agreement. Motion unanimously carried.

#### **Assign Complaints**

Complaint number 33-04-11 was assigned to Dr. Mullen.

Complaint number 33-05-11 was assigned to Dr. Drevno.

#### Discussion Regarding Blue Cross Blue Shield of Delaware not Credentialing LMFT's – Dr. Northey

Dr. Northey informed the Board that Blue Cross Blue Shield is currently not credentialing LMFT's. He stated that they are currently credentialing LPCMH, as well as licensed clinical social workers. Dr. Northey requested that Blue Cross Blue Shield of Delaware be contacted to find out why they are not credentialing LMFT's. Ms. Hansen made a motion, seconded by Ms. Murrell, to have Ms. Williams contact Dr. Kaplan at Blue Cross Blue Shield of Delaware for more information. Motion unanimously carried.

#### Discussion Regarding Practice Acts

Ms. Williams informed the Board that she has been conducting research regarding other states' statutes. Currently Colorado, South Carolina, Pennsylvania, Virginia, Washington D.C., Ohio and New Jersey have practice acts. Ms. Williams asked the Board for their input in regards to Delaware possibly having a practice act. The Board discussed the pro's and con's regarding creating a practice act, such as what would the limitations be, what impact would it have on insurance companies, exemptions, etc. The Board suggested that a Committee be formed in the future regarding practice acts.

#### **Correspondence**

##### Review Correspondence from Michael Jones Regarding Technology-Assisted Counseling

The Board reviewed the correspondence from Mr. Jones regarding technology-assisted counseling. No action was taken at the time, due to the courses already being approved by the NBCC.

##### Review Correspondence from Paula Porterfield-Izzo Regarding Video Counseling Services

The Board reviewed the correspondence from Ms. Porterfield-Izzo regarding video counseling services for the deaf in Delaware. Ms. Porterfield-Izzo is currently licensed in Florida and is interested in video counseling services in Delaware. The Board requested that Mr. Stevenson and Ms. Williams prepare correspondence to Ms. Porterfield-Izzo to inform her that it is not the Board's position to give advice regarding the rules and regulations or the statute; if she would like, she may contact a Delaware attorney for more clarification.

##### Review Correspondence from William Gale Requesting Reconsideration of CE's

The Board reviewed the correspondence submitted from Mr. Gale requesting that the Board reconsider their decision from the Rule to Show Cause Hearing which was held on June 22, 2011. Mr. Gale is requesting that the course "Application of Dreams" be allowed for this licensure cycle for continuing education credit. No action was taken, as the order was already signed by the Board.

##### Review Correspondence from J&K Seminars Regarding Webinars

The Board reviewed correspondence from J&K Seminars regarding webinars being used as acceptable CE credit. The Board asked Mr. Stevenson and Ms. Williams to prepare a letter to J&K Seminars to inform them that the rules and regulations currently do not allow webinars, and the Board is aware of the issues and will be reviewing the rules and regulations in the future.

**Other Business (for discussion only)**

Mr. Cooper informed the Board that he recently attended the NBCC conference. He stated that some of the topics which were discussed included specific exams for state laws and regulations as well as reciprocity. Mr. Cooper also stated that the topic of “life coaching” was discussed, due to the number of people across the United States claiming to be “life coaches”.

**Public Comment**

Ms. L. Faith Whittington addressed the Board and introduced herself as a representative from the Delaware Professional Counselors Association. Ms. Whittington stated that a representative from the Association will be at each meeting to keep up to date with current events.

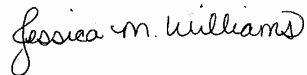
**Next Meeting Date**

The Board's next meeting is scheduled for September 28, 2011, at 12:00 p.m., in Conference Room A of the Cannon Bldg., 861 Silver Lake Blvd., Dover, Delaware.

**Adjournment**

Dr. Drevno made a motion, seconded by Dr. Mullen, to adjourn. Motion unanimously carried. There being no further business before the Board, the meeting adjourned at 2:15 p.m.

Respectfully submitted,



Jessica Williams  
Administrative Specialist II